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Announcement

CFR SUPPLEMENTS

(As of January 1, 1960)

The following Supplements are now available:

Title 6----- \$2.25

Title 19----- 1.00

Title 24----- .45

Title 49, Parts 71-90----- 1.00

Previously announced: Title 3 (\$0.60); Titles 4-5 (\$1.00); Title 7, Parts 1-50 (\$0.45); Parts 51-52 (\$0.45); Parts 53-209 (\$0.40); Parts 210-399, Revised (\$4.00); Title 8 (\$0.40); Title 9 (\$0.35); Titles 10-13 (\$0.50); Title 18 (\$0.55); Title 20 (\$1.25); Title 21 (\$1.50); Titles 22-23 (\$0.45); Title 25 (\$0.45); Title 26 (1939), Parts 1-79 (\$0.40); Parts 80-169 (\$0.35); Parts 170-182 (\$0.35); Parts 300 to End (\$0.40); Title 26, Part 1 (§§ 1.01-1.499) (\$1.75); Parts 1 (§ 1.500 to End)-19 (\$2.25); Parts 20-169 (\$1.75); Parts 170-221 (\$2.25); Part 300 to End (\$1.25); Titles 28-29 (\$1.75); Titles 30-31 (\$0.50); Title 32, Parts 1-399 (\$2.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999, Revised (\$3.75); Part 1100 to End (\$0.60); Title 33 (\$1.75); Title 35, Revised (\$3.50); Title 36, Revised (\$3.00); Title 37, Revised (\$3.50); Title 38 (\$1.00); Title 39 (\$1.50); Title 43 (\$1.00); Title 46, Parts 1-145 (\$1.00); Parts 146-149, Revised (\$6.00); Part 150 to End (\$0.65); Title 47, Parts 1-29 (\$1.00); Part 30 to End (\$0.30); Title 49, Parts 1-70 (\$1.75); Parts 91-164 (\$0.45); Part 165 to End (\$1.00); Title 50 (\$0.70).

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Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3348

PRAYER FOR PEACE, MEMORIAL DAY, 1960

By the President of the United States
of America
A Proclamation

WHEREAS on Memorial Day of each year it is our custom to honor our forefathers and our compatriots who have laid down their lives that we might live in freedom; and

WHEREAS we are forever grateful to them for their heroic sacrifice; and

WHEREAS in today's world we face a challenge which demands of us the same qualities of strength, high courage, and love of country that characterized our heroes of the past; and

WHEREAS the Congress, by a joint resolution approved May 11, 1950 (64 Stat. 158), authorized and requested the President to issue a proclamation "calling upon the people of the United States to observe each May 30, Memorial Day, by praying, each in accordance with his religious faith, for permanent peace":

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim Memorial Day, Monday, May 30, 1960, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at eleven o'clock in the morning of that day as the time to unite in such prayer.

I urge the newspapers, the broadcasting facilities of radio and television, and all other media of public information to participate in this observance.

And I call upon the people of the United States to join with one another, at the appointed time, in churches and other appropriate places in asking the blessing of God on those who have given their lives for the Nation, in offering thanks for God's manifold mercies, and in beseeching His aid in the building of a world based on freedom and justice, where all men may live in friendship and war shall be no more.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this thirteenth day of May in the year of our Lord nineteen hundred and [SEAL] sixty, and of the Independence of the United States of America the one hundred and eighty-fourth.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 60-4575; Filed, May 17, 1960;
4:34 p.m.]

Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

SUBCHAPTER B—FARM OWNERSHIP LOANS

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

Average Values of Farms; Hawaii

On May 3, 1960, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under 6 CFR 331.17, are superseded by the average values set forth below for said counties.

HAWAII	
County:	Average value
Hawaii	\$40,000
Honolulu	40,000
Kauai	40,000
Maui	40,000

(Sec. 41, 50 Stat. 528, as amended; 7 U.S.C. 1015; Order of Acting Sec. of Agr., 19 F.R. 74, 22 F.R. 8188)

Dated: May 12, 1960.

H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F.R. Doc. 60-4528; Filed, May 18, 1960; 8:47 a.m.]

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

Average Values of Farms; Colorado and New Mexico

On May 2, 1960, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for 42 of the 61 counties in Colorado and all counties in New Mexico were determined to be as herein set forth. The average values heretofore established for 41 of said 42 counties in Colorado and all of said counties in New Mexico which appear in the tabulations of average values under § 331.17, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties. In the tabulation below an average value for Clear Creek County, Colorado, appears for the first time.

COLORADO	
County:	Average value
Adams	\$50,000
Alamosa	50,000
Arapahoe	50,000
Archuleta	50,000
Baca	50,000
Bent	50,000
Boulder	50,000
Chaffee	50,000
Cheyenne	50,000
Clear Creek	50,000
Conejos	50,000
Costilla	50,000
Crowley	50,000
Custer	50,000
Delta	50,000
Dolores	50,000
Douglas	50,000
Eagle	50,000
Elbert	50,000
El Paso	50,000
Fremont	50,000
Garfield	50,000
Gilpin	50,000
Grand	50,000
Gunnison	50,000
Hinsdale	50,000
Huerfano	50,000
Jackson	50,000
Jefferson	50,000
Kiowa	50,000
Kit Carson	50,000
Lake	50,000
La Plata	50,000
Larimer	50,000
Las Animas	50,000
Lincoln	50,000
Logan	50,000
Mesa	50,000
Mineral	50,000
Moffat	50,000
Montezuma	50,000
Montrose	50,000
Morgan	50,000
Otero	50,000
Ouray	50,000
Park	50,000
Phillips	50,000
Pitkin	50,000
Prowers	50,000
Pueblo	50,000
Rio Blanco	50,000
Rio Grande	50,000
Routt	50,000
Saguache	50,000
San Miguel	50,000
Sedgwick	50,000
Summit	50,000
Teller	50,000
Washington	50,000
Weld	50,000
Yuma	50,000

NEW MEXICO	
Bernalillo	\$50,000
Catron	50,000
Chaves	50,000
Colfax	50,000
Curry	50,000
De Baca	50,000
Dona Ana	50,000
Eddy	50,000
Grant	50,000
Guadalupe	50,000
Harding	50,000
Hidalgo	50,000
Lea	50,000
Lincoln	50,000

NEW MEXICO—Continued	
County:	Average value
Luna	\$50,000
McKinley	50,000
Mora	50,000
Otero	50,000
Quay	50,000
Rio Arriba	50,000
Roosevelt	50,000
Sandoval	50,000
San Juan	50,000
San Miguel	50,000
Santa Fe	50,000
Sierra	50,000
Socorro	50,000
Taos	50,000
Torrance	50,000
Union	50,000
Valencia	50,000

(Sec. 41, 50 Stat. 528, as amended; 7 U.S.C. 1015; Order of Acting Sec. of Agr., 19 F.R. 74, 22 F.R. 8188)

Dated: May 12, 1960.

H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F.R. Doc. 60-4529; Filed, May 18, 1960; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 53—LIVESTOCK, MEATS, PREPARED MEATS AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

Subpart B—Standards

OFFICIAL UNITED STATES STANDARDS FOR SLAUGHTER LAMBS, YEARLINGS, AND SHEEP

On March 4, 1960, a notice of rule making was published in the FEDERAL REGISTER (25 F.R. 1913) regarding the proposed amendment of §§ 53.133 and 53.134 of the official United States standards for slaughter lambs, yearlings, and sheep (7 CFR 53.133 and 53.144) under the provisions of sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622 and 1624).

After due consideration of all relevant material submitted, and under the provisions of the aforesaid sections of the Agricultural Marketing Act of 1946, as amended, the provisions in 7 CFR 53.133 and 53.134 are amended to read, respectively, as follows:

§ 53.133 Specifications for official United States standards for grades of slaughter lambs.

(a) Prime. (1) Lambs possessing the minimum requirements for the Prime

grade are moderately lowset and blocky and thick-fleshed. They are moderately wide over the back, loin, and rump. Shoulders and hips are usually moderately smooth. The twist is moderately deep and full and the legs are moderately large and plump. They generally present a well-rounded appearance due to a slight fullness or plumpness over the crops, loin, and rump. Relatively young lambs, under seven months of age, tend to have a moderately thin fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are readily discernible. Older, more mature lambs have a slightly thin fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are slightly discernible. Prime lambs exhibit evidences of rather high quality. The bones tend to be proportionately small, the joints tend to be smooth, and the body tends to be trim, smooth, and symmetrical.

(2) To qualify for the Prime grade, a lamb must possess the minimum qualifications for finish regardless of the extent that its conformation may exceed the minimum requirements for Prime. However, a development of finish which is superior to that specified as minimum for the Prime grade may compensate, on an equal basis, for a development of conformation which is inferior to that specified for Prime as indicated in the following example: A lamb which has evidences of finish equivalent to the mid-point of the Prime grade may have conformation equivalent to the mid-point of the Choice grade and remain eligible for Prime. However, in no instance may a lamb be graded Prime which has a development of conformation inferior to that specified as minimum for the Choice grade.

(b) *Choice.* (1) Lambs possessing the minimum requirements for the Choice grade tend to be slightly lowset and blocky and thick-fleshed. They tend to be slightly wide over the back, loin, and rump. The shoulders and hips are usually slightly smooth but may exhibit a slight tendency toward prominence. The twist tends to be slightly deep and full, and the legs tend to be slightly thick and plump. Relatively young lambs, under seven months of age, have a thin fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are moderately prominent. Older, more mature lambs have a moderately thin fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are slightly prominent. Choice lambs usually present a moderately refined appearance.

(2) A lamb which has conformation equivalent to at least the mid-point of the Choice grade may have a development of finish equivalent to the minimum for the upper one-third of the Good grade and remain eligible for Choice. Also, a development of finish which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A lamb which has a development of finish equivalent to the

mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice. However, in no instance may a lamb be graded Choice which has a development of conformation inferior to that specified as minimum for the Good grade.

(c) *Good.* (1) Lambs possessing the minimum requirements for the Good grade are moderately rangy and upstanding and thin-fleshed. They are slightly narrow over the back, loin, and rump. Hips and shoulders are moderately prominent. The twist is slightly shallow and the legs are slightly small and thin. Relatively young lambs, under seven months of age, have slightly more than a very thin, uneven fat covering over the back, loin, and upper ribs. In handling, the shoulders, backbone, hips, and ribs are prominent. Older, more mature lambs have slightly more than a thin fat covering over the back, ribs, and loin. In handling, the bones of the shoulders, backbone, hips, and ribs are rather prominent. Lambs of this grade may present evidences of slightly low quality. The bones and joints are usually moderately large, and the body is somewhat lacking in symmetry and smoothness.

(2) A lamb which has conformation equivalent to at least the midpoint of the Good grade may have a development of finish equivalent to the minimum for the upper one-third of the Utility grade and remain eligible for Good. Also, a development of finish which is superior to that specified as minimum for the Good grade may compensate for a development of conformation which is inferior to that specified for Good on the basis of one-half grade of superior finish for one-third grade of deficient conformation as indicated in the following example: A lamb which has a development of finish equivalent to the midpoint of the Good grade may have conformation equivalent to the minimum for the upper one-third of the Utility grade and remain eligible for Good. However, in no instance may a lamb be graded Good which has a development of conformation inferior to that specified as minimum for the Utility grade.

(d) *Utility.* (1) Lambs meeting the minimum requirements for the Utility grade are very rangy and angular. They are very thin-fleshed, very narrow over the back, loin, and rump, and very shallow in the twist. The hips are very prominent and the shoulders are usually open, rough, and prominent. The legs are very small and thin, and present a slightly concave appearance. Regardless of age, Utility lambs show no visible evidence of fat covering. In handling, bones of the shoulders, backbone, hips, and ribs are very prominent. Utility grade lambs are of rather low quality. The bones and joints are proportionately large and the body is very rough and unsymmetrical.

(2) A lamb which has conformation equivalent to at least the midpoint of the Utility grade may have a development of finish equivalent to the minimum for the upper one-third of the Cull grade and remain eligible for Utility. Also, a

development of finish which is superior to that specified as minimum for the Utility grade may compensate for a development of conformation which is inferior to that specified for Utility on the basis of one-half grade of superior finish for one-third grade of deficient conformation as indicated in the following example: A lamb which has a development of finish equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum for the upper one-third of the Cull grade and remain eligible for Utility.

(e) *Cull.* (1) Typical Cull grade lambs are extremely rangy, angular, and thin-fleshed and extremely narrow and shallow bodied. Shoulders and hips are very prominent. The legs are extremely small and thin and present a very concave appearance. In handling, the bones of the shoulders, backbone, hips, and ribs are extremely prominent and the entire bony framework is very evident. The general appearance is that of low quality. The relative proportion of meat to bone is quite low, joints appear large, and the body is very unsymmetrical.

§ 53.134 Specifications for official United States standards for grades of slaughter yearlings and sheep.

(a) *Prime.* (1) Slaughter sheep older than yearlings are not eligible for the Prime grade.

(2) Yearling sheep possessing the minimum requirements for the Prime grade are moderately lowset and blocky and thick-fleshed. They are moderately wide over the back, loin, and rump. Shoulders and hips are usually moderately smooth. The twist is moderately deep and full, and the legs are moderately large and plump. There is a rather distinct fullness or plumpness evident over the crops, loins, and rump which contributes to a well-rounded appearance. There is a slightly thick fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are hardly discernible. Prime slaughter yearling sheep exhibit evidences of rather high quality. The bones tend to be proportionately small, the joints tend to be smooth, and the body tends to be trim, smooth, and symmetrical.

(3) To qualify for the Prime grade, a yearling must possess the minimum qualifications for finish regardless of the extent that its conformation may exceed the minimum requirements for Prime. However, a development of finish which is superior to that specified as minimum for the Prime grade may compensate, on an equal basis, for a development of conformation which is inferior to that specified for Prime as indicated in the following example: A yearling which has a development of finish equivalent to the mid-point of the Prime grade may have conformation equivalent to the mid-point of the Choice grade and remain eligible for Prime. However, in no instance may a yearling be graded Prime which has a development of conformation inferior to that specified as minimum for the Choice grade.

(4) Yearlings which are otherwise eligible for the Prime grade but which have excessive external fat are not eligible for Prime.

(b) *Choice*. (1) Slaughter sheep possessing the minimum requirements for the Choice grade tend to be slightly low-set and blocky and thick-fleshed. They tend to be slightly wide over the back, loin, and rump. The shoulders and hips are usually slightly smooth but may show a slight tendency toward prominence. The twist tends to be slightly deep and full and the legs tend to be slightly thick and plump. Yearling sheep have a slightly thin fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are readily discernible. Mature sheep have a slightly thick fat covering over the back, ribs, loin, and rump. In handling, the backbone and ribs are slightly discernible. Choice slaughter sheep usually present a moderately refined appearance.

(2) A sheep which has conformation equivalent to at least the mid-point of the Choice grade may have a development of finish equivalent to the minimum for the upper one-third of the Good grade and remain eligible for Choice. Also, a development of finish which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A sheep which has a development of finish equivalent to the mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice. However, in no instance may a sheep be graded Choice which has a development of conformation inferior to that specified as minimum for the Good grade.

(3) Yearlings which are otherwise eligible for the Prime grade but which have excessive external fat are included in the Choice grade. Sheep which are otherwise eligible for the Choice grade but which have excessive external fat are not eligible for Choice.

(c) *Good*. (1) Slaughter sheep possessing the minimum requirements for the Good grade are slightly rangy and upstanding and thin-fleshed. They are slightly narrow over the back, loin, and rump. Hips and shoulders are moderately prominent. The twist is slightly shallow and the legs slightly small and thin. Yearling sheep have slightly more than a moderately thin fat covering over the back, loin, and upper ribs. In handling, the shoulders, backbone, hips, and ribs are rather prominent. Mature sheep have a slightly thin fat covering over the back, ribs, and loin. In handling, the bones of the shoulders, backbone, hips, and ribs are slightly prominent. Sheep of this grade may present evidences of slightly low quality. The body is somewhat lacking in symmetry and smoothness.

(2) A sheep which has conformation equivalent to at least the mid-point of the Good grade may have a development of finish equivalent to the minimum for the upper one-third of the Utility grade and remain eligible for Good. Also, a development of finish which is superior to that specified as minimum for the Good

grade may compensate for a development of conformation which is inferior to that specified for Good on the basis of one-half grade of superior finish for one-third grade of deficient conformation as indicated in the following example: A sheep which has evidences of finish equivalent to the mid-point of the Good grade may have conformation equivalent to the minimum for the upper one-third of the Utility grade and remain eligible for Good. However, in no instance may a sheep be graded Good which has a development of conformation inferior to that specified as minimum for the Utility grade.

(d) *Utility*. (1) Slaughter sheep meeting the minimum requirements for the Utility grade are very rangy and angular. They are very thin-fleshed, very narrow over the back, loin, and rump, and very shallow in the twist. The hips are very prominent and the shoulders are usually open, rough, and prominent. The legs are very small and thin and present a slightly concave appearance. Regardless of age, Utility grade slaughter sheep show no visible evidences of fat covering. In handling, the bones of the shoulders, backbone, hips, and ribs are so thinly covered that they are very prominent. Utility grade slaughter sheep are of rather low quality. The bones and joints are proportionately large and the body is very rough and unsymmetrical.

(2) A sheep which has conformation equivalent to at least the mid-point of the Utility grade may have a development of finish equivalent to the minimum for the upper one-third of the Cull grade and remain eligible for Utility. Also, a development of finish which is superior to that specified as minimum for the Utility grade may compensate for a development of conformation which is inferior to that specified for Utility on the basis of one-half grade of superior finish for one-third grade of deficient conformation as indicated in the following example: A sheep which has a development of finish equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum for the upper one-third of the Cull grade and remain eligible for Utility.

(e) *Cull*. (1) Typical Cull grade sheep are extremely rangy, angular, and thin-fleshed and extremely narrow and shallow bodied. Shoulders and hips are very prominent. The legs are extremely small and thin and present a very concave appearance. In handling, the bones of the shoulders, backbone, hips, and ribs are extremely prominent and the entire bony framework is very evident. The general appearance is that of low quality. The relative proportion of meat to bone is quite low, joints appear large, and the body is very unsymmetrical.

These amendments are made to coordinate the standards for slaughter lambs, yearlings, and sheep with the changes made in the standards for lamb, yearling mutton, and mutton carcasses on March 1, 1960.

The foregoing amendments shall become effective thirty days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 16th day of May 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 60-4527; Filed, May 18, 1960;
8:47 a.m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Sugar Determination 850.99; Amdt. 3]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms; 1959 Crop

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, paragraph (p) of § 850.99 (23 F.R. 7799, 24 F.R. 84, 24 F.R. 9707), is hereby amended by adding the following at the end thereof: "Notwithstanding the foregoing provisions of this paragraph, the requirements for payment with respect to marketings (or processings) within the farm proportionate share shall be deemed to be met where sugar beets were marketed (or processed) for sugar or liquid sugar from an acreage on the farm exceeding the farm proportionate share; *Provided*, That (1) the excess acreage is not more than the larger of five-tenths acre, or one percent of the farm proportionate share but not to exceed three acres, (2) the county committee finds that the marketings (or processings) of sugar beets from excess acreage were unintended by the operator of the farm and the State Committee concurs in such finding, and (3) within one year from the date of the processing of the sugar beets from the excess acreage, the producer has arranged for a quantity of sugar, which was produced from sugar beets in the Domestic Beet Sugar Producing Area, which had not been marketed to fill a quota for such area as provided in Part 816 of this chapter and which is equivalent to the quantity of sugar produced from the sugar beets marketed from such excess acreage, to be made subject to a bond given pursuant to the provisions of Part 816 of this chapter, which provides that a condition of such bond is that the sugar shall be used for livestock feed or for the production of livestock feed. The Sugar Act payment in any such case shall be limited to the acreage within the farm proportionate share."

STATEMENT OF BASES AND CONSIDERATIONS

This amendment adds a new provision to the 1959-crop proportionate share determination authorizing payments within proportionate shares under certain conditions in cases where individual farm shares are exceeded by very small acreages. In each such case, the county committee must find that the marketing of such sugar beets by the operator-producer of the farm was unintentional and the State Committee

must concur in such finding. The excess acreage must not be more than the larger of 0.5 acre, or 1.0 percent of the farm proportionate share but not to exceed 3.0 acres.

A very few cases of inadvertent marketings of small acreages in excess of proportionate shares for the 1959 crop have developed, due primarily to mechanized harvesting, unfavorable harvesting conditions and unreliable measurements. By requiring that the producer arrange for a quantity of sugar equivalent to the production from the excess acreage to be diverted for livestock feed purposes, the effect for quota purposes is the same as where sugar beets are initially marketed for livestock feed purposes as provided under section 301 of the Sugar Act of 1948, as amended.

A similar provision is being made effective for the 1960 crop.

Accordingly, I hereby find and conclude that the aforementioned amendment to the determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153. Interprets or applies Secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Supp. 1131, 1132)

Issued this 16th day of May 1960.

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F.R. Doc. 60-4538; Filed, May 18, 1960;
8:48 a.m.]

[Sugar Determination 850.122; Amdt. 2]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms; 1960 Crop

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, § 850.122 (24 F.R. 10611, 25 F.R. 3574) is hereby further amended, as follows:

1. The following two sentences are substituted for the last sentence of paragraph (f): "If, after the expiration of a reasonable time for the acceptance of requests generally following the closing date, the total acreage requested in any State does not exceed the State allocation, or the total acreage requested in any allotment area within a State does not exceed the acreage allotment for such area, the proportionate shares for both old and new producers in such State or such allotment area may be established by the State Committee so as to coincide with the requested acreages without carrying out the detailed procedure otherwise required under paragraphs (g), (i), and (j) of this section. In the event proportionate shares are established in an allotment area as provided in the preceding sentence, any unused acreage within the allotment for such area shall be made available to other allotment areas within the State."

2. Paragraph (p) is amended by adding the following at the end thereof: "Notwithstanding the foregoing provisions of this paragraph, the requirements for payment with respect to marketings (or processings) within the farm propor-

tionate share shall be deemed to be met where sugar beets were marketed (or processed) for sugar or liquid sugar from an acreage on the farm exceeding the farm proportionate share: *Provided*, That (1) the excess acreage is not more than the larger of five-tenths acre, or one percent of the farm proportionate share but not to exceed three acres, (2) the county committee finds that the marketings (or processings) of sugar beets from excess acreage were unintended by the operator of the farm and the State Committee concurs in such finding, and (3) within one year from the date of the processing of the sugar beets from the excess acreage, the producer has arranged for a quantity of sugar, which was produced from sugar beets in the Domestic Beet Sugar Producing Area, which had not been marketed to fill a quota for such area as provided in Part 816 of this chapter and which is equivalent to the quantity of sugar produced from the sugar beets marketed from such excess acreage, to be made subject to a bond given pursuant to the provisions of Part 816 of this chapter, which provides that a condition of such bond is that the sugar shall be used for livestock feed or for the production of livestock feed. The Sugar Act payment in any such case shall be limited to the acreage within the farm proportionate share."

3. The last three sentences of paragraph (r) are revised to read as follows: "After giving the producer an opportunity to appear before the State Committee, such committee shall notify him in writing of its decision within 30 days after the submission of his appeal. If the producer believes that his case has not been properly considered by the State Committee, he may, within 15 days after the date of mailing of the decision to him, request the Secretary to review the decision of the State Committee. The decision of the Secretary shall be final."

STATEMENT OF BASES AND CONSIDERATIONS

This amendment makes changes in three paragraphs of the proportionate share determination for the 1960 sugar beet crop, as issued December 18, 1959, and amended April 20, 1960.

The original determination provided that for any State in which the total requested acreage did not exceed the State allocation at the termination of an extended period for filing requests, various steps of procedure could be waived and shares could be established so as to coincide with the requested acreages. In the early stages of establishing 1960-crop shares, it was found that the work in several States would be expedited if this procedure could be followed for one or more allotment areas, even though not applicable for the entire State. Accordingly, this amendment authorizes its use at the area level, as well as at the State level.

The paragraph regarding "Eligibility for Payment Under the Act" is amended by adding a new provision to authorize payments within proportionate shares under certain conditions in cases where individual farm shares are exceeded by very small acreages. The County Com-

mittee must find that the marketing of such sugar beets by the operator-producer of the farm was unintentional and the State Committee must concur in such finding. The excess acreage must not be more than the larger of 0.5 acre, or 1.0 percent of the farm proportionate share but not to exceed 3.0 acres. Furthermore, within one year from the date of processing the sugar beets from the excess acreage, the producer must arrange for the diversion to livestock feed, or for use in the production of livestock feed, of a quantity of sugar equivalent to the production from the excess acreage.

The paragraph relating chiefly to eligibility for payment and to appeals has been amended to provide that producers appealing to the State Committee shall be afforded the opportunity of appearing before such Committee.

Accordingly, I hereby find and conclude that the aforementioned amendment to the determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153. Interprets or applies Secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Supp. 1131, 1132)

Issued this 16th day of May 1960.

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F.R. Doc. 60-4537; Filed, May 18, 1960;
8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. R.]

PART 218—RELATIONS WITH DEALERS IN SECURITIES UNDER SECTION 32, BANKING ACT OF 1933

Service in Licensee Corporation

§ 218.103 Service as officer, director, or employee of licensee corporation under the Small Business Investment Act of 1958.

(a) The Board of Governors has been requested to express an opinion whether § 218.1 would prohibit an officer, director, or employee of a member bank from serving at the same time as an officer, director, or employee of a Licensee corporation under the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.). It is understood that a Licensee would be authorized to engage only in the activities set forth in the statute, namely, to provide capital and long-term loan funds to small business concerns.

(b) In the opinion of the Board, a corporation engaged exclusively in the enumerated activities would not be "primarily engaged in the issue, flotation, underwriting, public sale, or distribution, at wholesale or retail, or through syndicate participation, of stocks, bonds, or other similar securities." Accordingly, the prohibition of § 218.1 would not apply to serving as an officer, director, or

employee of either a small business investment company organized under the Small Business Investment Act of 1958, or an investment company chartered under the laws of a State solely for the purpose of operating under the Small Business Investment Act of 1958.

(Sec. 11(1), 38 Stat. 262; 12 U.S.C. 248(1). Interpret or apply sec. 32, 48 Stat. 194, as amended; 12 U.S.C. 78)

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 60-4511; Filed, May 18, 1960;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 203—CONDUCT OF MEMBERS AND EMPLOYEES AND FORMER MEMBERS AND EMPLOYEES OF THE COMMISSION

Miscellaneous Amendments

The Securities and Exchange Commission has included in its Regulation Regarding Conduct of Members and Employees and Former Members and Employees of the Commission additional references to statutes generally applicable to government personnel. These additions do not make any substantive change in the rules but are inserted in order to make more complete the references now included.

The Commission deems that these amendments are included within the exception in section 4(a) of the Administrative Procedure Act applicable, among other things, to "rules of agency organization, procedure, or practice" and that notice and public procedures of the character specified in that section are unnecessary; and further that the amendments are not subject to the provision of section 4(c) of that Act relating to the effective date of substantive rules.

Statutory basis. These amendments are adopted pursuant to the authority conferred upon the Commission by the various statutes administered by it, particularly section 19(a) of the Securities Act of 1933, section 23(a) of the Securities Exchange Act of 1934, section 20(a) of the Public Utility Holding Company Act of 1935, section 319 of the Trust Indenture Act of 1939, section 38(a) of the Investment Company Act of 1940, and section 211(a) of the Investment Advisers Act of 1940.

Text of amendments. Section 203.1(b) (Rule 1B) is hereby amended by appending at the end thereof a footnote to be designated Footnote No. 2 to read as follows:

* Members and employees of the Commission are subject also to provisions of the Federal Criminal Code which prohibit any officer or employee of the United States from asking, accepting or receiving any money or other thing of value in connection with any

matter before him in his official capacity (18 U.S.C. sec. 202), and from accepting anything of value for giving or procuring a government contract (18 U.S.C. sec. 216).

Succeeding footnotes will be renumbered accordingly.

Section 203.2(d) (Rule 2D) is hereby amended by adding two additional subparagraphs to be designated (5) and (6) to read as follows:

(5) 18 United States Code, section 434, provides in substance that no person shall act both as an agent for a business entity and for the United States in a transaction between the business entity and the United States.

(6) 18 United States Code, section 1914, provides in substance that no government official or employee shall accept any salary in connection with his government service from any source other than the United States.

The foregoing amendments shall become effective May 12, 1960.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MAY 12, 1960.

[F.R. Doc. 60-4519; Filed, May 18, 1960;
8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55132]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Works of Art, Articles for Exhibition, Ethnographic Objects, and Hand- woven Tapestries

Public Law 86-262, approved September 14, 1959 (73 Stat. 549), provides in part for the liberalization of the tariff laws for works of art and other exhibition material. In view of the amendments to paragraphs 1720, 1807, 1809, 1811, and 1812, Tariff Act of 1930, made under this legislation, §§ 10.43, 10.48, 10.53, and 10.54, Customs Regulations, and footnotes thereto, are amended, and a new § 10.55 added, to reflect the necessary changes therein as indicated below.

§ 10.43 [Amendment]

Section 10.43 is amended by deleting the citation of authority at the end of paragraph (b) and by adding a new paragraph (c) to read as follows:

(c) In the case of articles claimed to be free under paragraph 1720, Tariff Act of 1930, as amended,^{40c} the collector may require a declaration as to the use to be made of the articles, and in the case of articles for use exclusively as exhibits in exhibitions, a copy of the charter or other evidence of the character of the institution at which the articles are to be exhibited.

(Secs. 201 (pars. 1631, 1720, 1773, 1774, 1817), 486, 46 Stat. 672, as amended, 725, as amended; 19 U.S.C. 1201 (pars. 1631, 1720, 1773, 1774, 1817), 1486)

New footnote 40c, is added to § 10.43 as follows:

^{40c} "Models of inventions and of other improvements in the arts, to be used exclusively as models, or exclusively as exhibits in exhibitions at any college, academy, school, or seminary of learning, any society or institution established for the encouragement of the arts, science, or education, or any association of such organizations." (Tariff Act of 1930, as amended, par. 1720 (free list); 19 U.S.C. 1201, par. 1720)

Section 10.48 is amended to read as follows:

§ 10.48 Original paintings, engravings, drawings, sculpture, etc.

(a) Invoices covering works of art claimed to be free of duty under paragraph 1807, Tariff Act of 1930, as amended,⁴⁸ shall show whether they are originals, replicas, reproductions, or copies, and also the name of the artist who produced them, unless upon examination the appraiser is satisfied that such statement is not necessary to a proper determination of the facts.

(b) The following evidence shall be filed in connection with the entry:

(1) A declaration in the following form by the artist who produced the article, showing whether it is original, or, in the case of sculpture, the original work or model or one of the first ten castings, replicas, or reproductions made from the original work or model; and in the case of etchings, engravings, woodcuts, lithographs, or prints made by other hand transfer processes, that they were printed by hand from hand-etched, hand-drawn, or hand-engraved plates, stones, or blocks:

I, _____, do hereby declare that I am the painter or producer of certain works of art, viz: _____

covered by the annexed invoice dated _____; that the said paintings, pastels, mosaics, drawings and/or sketches are originals; that the said sculptures or statuary are the original works or models or one of the first ten castings, replicas, or reproductions made from the sculptor's original work or model; and that the said etchings, engravings, woodcuts, lithographs, or prints made by other hand-transfer processes were printed by hand from hand-etched, hand-drawn, or hand-engraved plates, stones, or blocks.

(2) A declaration of the seller or shipper giving the information specified in subparagraph (1) of this paragraph, if it be shown that it is impossible to produce the declaration of the artist.

(3) A declaration of the importer on customs Form 3307.

(c) The declaration of the artist, or the declaration of the seller or shipper in lieu thereof, may be waived upon a satisfactory showing that it is impossible to produce either, but the declaration of the importer shall be required in all cases.

(d) Artists' proof etchings, engravings, woodcuts, lithographs, or prints made by other hand transfer processes should bear the genuine signature or mark of the artist as evidence of their authenticity. In the absence of such a signature or mark, other evidence shall be required which will establish the au-

thenticity of the work to the satisfaction of the collector.

(e) In the case of articles claimed to be free under paragraph 1807(b), the collector may require proof of the character of the article, including, when necessary, certificates from curators or other recognized authorities on art, that the imported article represents some school, kind, or medium of the free fine arts.

(Sec. 201 (par. 1807), 46 Stat. 684, as amended; 19 U.S.C. 1201 (par. 1807))

Footnote 43 appended to § 10.43 is amended to read as follows:

"(a) Original paintings in oil, mineral, water, vitreous enamel, or other colors, pastels, original mosaics, original drawings and sketches in pen, ink, pencil, or watercolors, or works of the free fine arts in any other media including applied paper and other materials, manufactured or otherwise, such as are used on collages, artists' proof etchings unbound, and engravings and woodcuts unbound, lithographs or prints made by other hand transfer processes unbound, original sculptures or statuary; but the terms 'sculpture' and 'statuary' as used in this paragraph shall be understood to include professional productions of sculptors only, whether in round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, metal, or other materials, or whether cut, carved, or otherwise wrought by hand from the solid block or mass of marble, stone, alabaster, or from metal, or other material, or cast in bronze or other metal or substance, or from wax or plaster, or constructed from any material or made in any form as the professional productions of sculptors only, and the term 'original', as used in this paragraph to modify the words 'sculptures' and 'statuary', shall be understood to include the original work or model and not more than ten castings, replicas, or reproductions made from the sculptor's original work or model, with or without a change in scale and regardless of whether or not the sculptor is alive at the time the castings, replicas, or reproductions are completed. The terms 'painting', 'mosaic', 'drawing', 'work of the free fine arts', 'sketch', 'sculpture', and 'statuary' as used in this paragraph, shall not be understood to include any articles of utility or for industrial use, nor such as are made wholly or in part by stenciling or any other mechanical process; and the terms 'etchings', 'engravings', and 'woodcuts', 'lithographs', or 'prints made by other hand transfer processes', as used in this paragraph, shall be understood to include only such as are printed by hand from plates, stones, or blocks etched, drawn, or engraved with hand tools and not such as are printed from plates, stones, or blocks etched, drawn, or engraved by photochemical or other mechanical processes.

"(b) Original works of the free fine arts, not provided for in subparagraph (a), subject to such regulations as the Secretary of the Treasury may prescribe as to proof that the article imported represents some school, kind, or medium of the free fine arts. The term 'original works of the free fine arts' as used herein shall not be understood to include any article of utility or for industrial use." (Tariff Act of 1930, par. 1807, as amended (free list); 19 U.S.C. 1201, par. 1807.)

§ 10.49 [Amendment]

No amendments to § 10.49, relating to articles for exhibition, are believed to be required at this time. However, in order to reflect the changes in paragraph 1809 of the tariff act by virtue of the

enactment of Public Law 86-262, footnote 44 is amended to read as follows:

"(a) Works of art, collections in illustration of the progress of the arts, sciences, agriculture, or manufactures, photographs, works in terra cotta, parian, pottery, or porcelain, antiquities and artistic copies thereof in metal or other material, imported in good faith for exhibition purposes within the territorial limits of the United States by any State or by any society or institution established for the encouragement of the arts, science, agriculture, or education, or for a municipal corporation, and all like articles imported in good faith by any society or association, or for a municipal corporation, for the purpose of erecting a public monument, and not intended for sale nor for any other purpose than herein expressed; but bond shall be given, under such rules and regulations as the Secretary of the Treasury may prescribe, for the payment of lawful duties which may accrue should any of the articles aforesaid be sold, transferred, or used contrary to this paragraph within five years after the date of entry hereunder and such articles shall be subject at any time within such five-year period to examination and inspection by the proper officers of the customs: *Provided*, That the privileges of this subparagraph (a) shall not be allowed to associations or corporations engaged in or connected with business of a private or commercial character.

"(b) In connection with the entry of works of art and other articles claimed to be free of duty under this paragraph, surety on bonds may be waived in the discretion of the Secretary of the Treasury.

"(c) Articles entered under this paragraph may be transferred, subject to such regulations as the Secretary of the Treasury may prescribe, from an organization specified in subparagraph (a) to another such organization or temporarily to a commercial gallery or other premises for exhibition and not for sale." (Tariff Act of 1930, par. 1809, as amended, (free list); 19 U.S.C. 1201, par. 1809.)

§ 10.53 [Amendment]

In view of the amendment to paragraph 1811(a), permitting the entry at any port of picture frames classifiable under this subparagraph, § 10.53(a), is amended by inserting "as amended," immediately after "Tariff Act of 1930" in the first sentence. The first sentence of § 10.53(e) is amended by inserting "except picture frames classifiable under subparagraph (a) of that paragraph, as amended," immediately following "paragraph 1811" so that the sentence will read as follows:

(e) Furniture claimed to be free of duty under paragraph 1811, except picture frames classifiable under subparagraph (a) of that paragraph, as amended, may be entered for consumption only at the ports of Baltimore, Md., Boston, Mass., Chicago, Ill., Honolulu, Hawaii, Los Angeles, Calif., New Orleans, La., New York, N.Y., Philadelphia, Pa., San Francisco, Calif., and Seattle, Wash.⁴⁸ * * *

Footnote 48 appended to § 10.53 is amended to read as follows:

⁴⁸ "(a) Works of art (except rugs and carpets made after the year 1700), collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art of ornamental character or educational value which shall have been produced prior to the year 1830, subject to such

regulations as to proof of antiquity as the Secretary of the Treasury may prescribe. Picture frames classifiable under this subparagraph may be entered at any port of entry.

"(b) Violins, violas, violoncellos, and double basses, of all sizes, made in the year 1800 or prior year.

"(c) Ethnographic objects made in traditional aboriginal styles and made at least fifty years prior to their date of entry, subject to such regulations as to proof of antiquity as the Secretary of the Treasury shall prescribe." (Tariff Act of 1930, par. 1811, as amended (free list); 19 U.S.C. 1201, par. 1811)

In view of the amendments to paragraph 1812 of the tariff act, § 10.54 is amended to read as follows:

§ 10.54 Gobelin and other hand-woven tapestries.

(a) Pursuant to paragraph 1812, Tariff Act of 1930, as amended,⁵¹ Gobelin tapestries produced in the Manufacture Nationale des Gobelins factories at Paris and Beauvais under the direction and control of the French Government, and other hand-woven tapestries, shall be accorded free entry if of a kind fit only for use as wall hangings, and valued at not less than \$20 per square foot.

(b) A certificate executed by the manager or other responsible employee of the Gobelin or other factory or producer establishing the character of the article shall accompany the invoice. If the absence of such a certificate is satisfactorily explained, other evidence establishing the necessary facts may be accepted.

(Sec. 201 (par. 1812), 46 Stat. 685, as amended; 19 U.S.C. 1201 (par. 1812))

Footnote 51 appended to § 10.54 is amended to read as follows:

⁵¹ "Gobelin and other hand-woven tapestries fit only for use as wall hangings, and valued at not less than \$20 per square foot." (Tariff Act of 1930, par. 1812, as amended, (free list); 19 U.S.C. 1201, par. 1812)

In view of the amendment of paragraph 1811 of the tariff act with respect to ethnographic objects, Part 10 is amended to add under the center head "Works of Art" a new § 10.55 and footnote 52 to read as follows:

§ 10.55 Ethnographic objects.

Claim for free entry as ethnographic objects made in traditional aboriginal styles and made at least fifty years prior to their date of entry, under paragraph 1811(c), Tariff Act of 1930, as amended,⁵² shall be supported by a declaration of a person having knowledge of the facts as to the character and origin of the objects, the fact of their having been produced at least fifty years prior to their date of entry, and a statement of the sources of the information upon which such declaration is based.

(Sec. 201 (par. 1811), 46 Stat. 685; 19 U.S.C. 1201 (par. 1811))

⁵² "(c) Ethnographic objects made in traditional aboriginal styles and made at least fifty years prior to their date of entry, subject to such regulations as to proof of antiquity as the Secretary of the Treasury shall prescribe." (Tariff Act of 1930, as amended, par. 1811(c) (free list))

To reflect an amendment, paragraph 1774 of the tariff act quoted in footnote

46 to Part 10 is amended by inserting the word "mosaics," after the word "shrines". (R.S. 251, Sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

The purpose of these amendments is to reflect the changes required in applicable provisions of the customs regulations by virtue of the enactment of Public Law 86-262 (73 Stat. 549) and to implement the provisions liberalizing the tariff laws for works of art and other exhibition material. It is, therefore, to the benefit of the public that these amendments be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found that notice and public procedure thereon are unnecessary and for the same reason good cause is found for making this amendment effective upon publication in the FEDERAL REGISTER.

[SEAL]

RALPH KELLY,
Commissioner of Customs.

Approved: May 10, 1960.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 60-4531; Filed, May 18, 1960;
8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2090]

[Wyoming 058319]

WYOMING

Partially Revoking Certain Reclamation Withdrawals (Shoshone Project)

By virtue of the authority vested in the Secretary of the Interior by section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The departmental orders of October 21, 1903; November 28, 1916; March 1, 1917; May 2, 1919; April 28, 1928; and September 19, 1947, which withdrew lands in Wyoming for reclamation purposes in connection with the Shoshone Project, are hereby revoked so far as they affect the following-described lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 51 N., R. 97 W.,
Sec. 5, Lots 21 and 30;
Sec. 6, Lot 38, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, Lots 29, 39, and 40;
Sec. 8, Lot 6;
Tracts 39, 45, 73.

T. 52 N., R. 97 W.,
Sec. 22, NW $\frac{1}{4}$;
Sec. 24, Lots 24, 25;
Sec. 26, Lots 1, 4, 12, and 13;
Sec. 27, Lot 31, E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 34, Lot 38;
Tracts 62, 63, 71, and 105.

T. 54 N., R. 101 W.,
Sec. 5, All;
Sec. 8, All;
Sec. 17, Lots 1 and 7;
Sec. 20, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 28, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 55 N., R. 101 W.,
Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18, Lots 7, 8, 9, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 19, Lots 7, 8, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 32, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate approximately 4,327 acres, of which approximately 2,088 acres are public lands. The public lands are in part withdrawn for other purposes. A complete and accurate statement of the status of any parcel of land affected by this order may be obtained from the Land Office Manager mentioned below.

2. The lands are situated in Park and Big Horn Counties, Wyoming, in the vicinity of Cody. Geologically the lands are within the structural and topographic depression of the Big Horn Basin. Soils are predominantly clay, with vegetation consisting of saltbush, sagebrush, blue grama, and associated forbs.

3. No application for the lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any valid existing rights, and the requirements of applicable law, the unreserved, unappropriated public lands released by this order, are hereby opened to application, petition, location, and selection in accordance with the following:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Until 10:00 a.m., on November 11, 1960, the State of Wyoming shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

(2) All valid applications and selections under the nonmineral public land laws other than any coming under subparagraph (1) above, presented at or before 10:00 a.m., on June 18, 1960, will be considered as simultaneously filed at that hour. Any rights under such applications filed thereafter will be governed by the time of filing.

(3) All applications under subparagraphs (1) and (2) above, shall be subject to those from persons having prior existing valid settlement rights, preference rights conferred by existing law, and equitable claims subject to allowance and confirmation.

b. The lands have been open to applications and offers under the mineral leasing laws, and some of them have been open to mining location. The remainder shall be open to mining location at 10:00 a.m., on November 11, 1960.

5. Persons claiming preference rights based on valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 13, 1960.

[F.R. Doc. 60-4514; Filed, May 18, 1960;
8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 237—INSURANCE ANNUITIES AND LUMP SUMS FOR SURVIVORS

Statutory Provisions; Correction

In Federal Register Document 60-3913 (25 F.R. 3818 dated April 30, 1960), the following correction is made:

In § 237.301 *Statutory provisions*, show " * * " after final paragraph to indicate omission of succeeding paragraphs of that section, which are not being amended.

Dated: May 12, 1960.

By the authority of the Board.

MARY B. LINKINS,
Secretary of the Board.

[F.R. Doc. 60-4515; Filed, May 18, 1960;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

FLATHEAD INDIAN IRRIGATION PROJECT, ST. IGNATIUS, MONTANA

Operation and Maintenance Charges

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (Public Law 404—79th Congress, 60 Stat. 238) and authority contained in the acts of Congress approved August 1, 1914; May 18, 1916; and March 7, 1928 (38 Stat. 583; 25 U.S.C. 385; 39 Stat. 142; and 45 Stat. 210; 25 U.S.C. 387) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551 Amendment No. 1; 16 F.R. 5454-7), notice is hereby given of the intention to modify §§ 221.24, 221.26, and 221.28 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Flathead Indian Irrigation Project, Montana, that are subject to the jurisdiction of the several irrigation districts, as follows:

Charges applicable to all irrigable lands of the Flathead Indian Irrigation Project that are included in the Irrigation District Organization and are subject to the jurisdiction of the three irrigation districts.

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929; March 28, 1934; August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1961 an assessment of \$245,127.35 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 75,423.79 acres; does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1961 an assessment of \$46,567.30 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 14,328.4 acres; does not include

any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, and April 18, 1950, there is hereby fixed, for the season of 1961 an assessment of \$18,687.61 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 6,466.3 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views, data or arguments in writing to Area Director, Bureau of Indian Affairs, 804 North 29th Street, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PERCY E. MELIS,
Area Director.

[F.R. Doc. 60-4512; Filed, May 18, 1960;
8:45 a.m.]

(1) SPICES AND OTHER NATURAL SEASONINGS AND FLAVORINGS (LEAVES, ROOTS, BARKS, BERRIES, ETC.)

Common name	Botanical name of plant source
* Alfalfa herb and seed.....	* Medicago sativa L.
* Ambrette seed.....	* Hibiscus moschatus Moench.
* Angelica.....	* Angelica archangelica L. or other spp. of Angelica.
* Angelica root.....	* Do.
* Angelica seed.....	* Do.
* Angostura (cuspertia bark).....	* Galipea officinalis Hancock.
* Balm (lemon balm).....	* Melissa officinalis L.
* Chamomile (cammomile), English or Roman.....	* Anthemis nobilis L.
* Chamomile (camomile), German or Hungarian.....	* Matricaria chamomilla L.
* Chervil.....	* Anthriscus cerefolium (L.) Hoffm.
* Clover.....	* Trifolium spp.
* Elder flowers.....	* Sambucus canadensis L.
* Galanga (galangal).....	* Alpinia officinarum Hance.
* Geranium.....	* Pelargonium spp.
* Hoarhound.....	* Marrubium vulgare L.
* Hyssop.....	* Hyssopus officinalis L.
* Linden flowers.....	* Tilia spp.
* Sage, Greek.....	* Salvia triloba L.
* Thyme, wild or creeping.....	* Thymus serpyllum L.

(2) ESSENTIAL OILS, OLEORESINS (SOLVENT-FREE), AND NATURAL EXTRACTIVES (INCLUDING DISTILLATES)

Common name	Botanical name of plant source
* Alfalfa.....	* Medicago sativa L.
* Ambrette (seed).....	* Hibiscus moschatus Moench.
* Balm (lemon balm).....	* Melissa officinalis L.
* Bergamot (bergamot orange).....	* Citrus aurantium L. subsp. bergamia Wright et Arn.
* Cacao.....	* Theobroma cacao L.
* Carrot.....	* Daucus carota L.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Substances Generally Recognized as Safe; Spices, Seasonings, Essential Oils, Natural Extractives

The Commissioner of Food and Drugs, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 701(a), 72 Stat. 1785, 52 Stat. 1055; 21 U.S.C. 348, 371(a)), and pursuant to the authority delegated to him by the Secretary of Health, Education, and Welfare (23 F.R. 9500), proposes to amend the food additive regulations by exempting certain food additives from the requirement of tolerances by adding to the list of substances generally recognized as safe (21 CFR 121.101) the following items:

Subpart B—Exemption of Certain Food Additives From the Requirement of Tolerances

§ 121.101 Substances that are generally recognized as safe.

* * * * *

PROPOSED RULE MAKING

(2) ESSENTIAL OILS, OLEORESINS (SOLVENT-FREE), AND NATURAL EXTRACTIVES
(INCLUDING DISTILLATES)—Continued

<i>Common name</i>	<i>Botanical name of plant source</i>
Chervil	Anthriscus cerefolium (L.) Hoffm.
Chicory	Cichorium intybus L.
Clover	Trifolium spp.
Corn silk	Zea mays L.
Curacao orange peel (orange, bitter, peel).	Citrus aurantium L.
Dandelion	Taraxacum officinale Weber and T. laevigatum DC.
Dandelion root	Do.
Dog grass (quackgrass, triticum)	Agropyron repens (L.) Beauv.
Elder flowers	Sambucus canadensis L. and S. nigra L.
Estragon (tarragon)	Artemisia dracunculus L.
Galanga (galangal)	Alpinia officinarum Hance.
Geranium	Pelargonium spp.
Glycyrrhizin, ammoniated	Glycyrrhiza glabra L. and other spp. of Glycyrrhiza.
Hickory bark	Carya spp.
Horsemint	Monarda punctata L.
Hyssop	Hyssopus officinalis L.
Immortelle	Helichrysum augustifolium DC.
Laurel berries	Laurus nobilis L.
Lemon balm (see balm).	
Lemon peel	Citrus limon (L.) Burm. f.
Linden flowers	Tilia spp.
Lupulin	Humulus lupulus L.
Malt (extract)	Hordeum vulgare L., or other grains.
Melissa (see balm).	
Menthol	Mentha spp.
Menthyl acetate	Mentha spp.
Molasses (extract)	Saccharum officinarum L.
Orange, sweet, flowers	Citrus sinensis (L.) Osbeck.
Orange, sweet, peel	Do.
Rose buds	Rosa spp.
Rose flowers	Do.
Rose fruit (hips)	Do.
Rose leaves	Do.
Sage, Greek	Salvia triloba L.
Savory, summer	Satureia hortensis L.
Savory, winter	Satureia montana L.
Sloe berries (blackthorn berries)	Prunus spinosa L.
Tamarind	Tamarindus indica L.
Tannic acid	Nutgalls of Quercus infectoria Oliver and related spp. of Quercus. Also in many other plants.
Thyme, wild or creeping	Thymus serpyllum L.
Triticum (see dog grass).	
Violet flowers	Viola odorata L.
Violet leaves	Do.
<i>Common name</i>	<i>Zoological name of animal source</i>
Ambergris	Physeter macrocephalus L.
Castoreum	Castor fiber L. and C. canadensis Kuhl.

(3) NATURAL SUBSTANCES USED IN CONJUNCTION WITH SPICES AND OTHER NATURAL
SEASONINGS AND FLAVORINGS

<i>Common name</i>	<i>Botanical name of plant source</i>
Algae, brown (kelp)	Laminaria spp. and Nereocystis spp.
Algae, red	Porphyra spp. and Rhodymenia palmata (L.) Grev.
Dulse	Rhodymenia palmata (L.)

(4) NATURAL EXTRACTIVES (SOLVENT-FREE) USED IN CONJUNCTION WITH SPICES,
SEASONINGS, AND FLAVORINGS

<i>Common name</i>	<i>Botanical name of plant source</i>
Algae, brown	Laminaria spp. and Nereocystis spp.
Algae, red	Porphyra spp. and Rhodymenia palmata (L.) Grev.
Apricot kernel (persic oil)	Prunus armeniaca L.
Dulse	Rhodymenia palmata (L.) Grev.
Kelp (see algae, brown).	
Peach kernel (persic oil)	Prunus persica Sieb. et Zucc.
Peanut stearine	Arachis hypogaea L.
Persic oil (see apricot kernel and peach kernel).	
Quince seed	Cydonia oblonga Miller.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written comments on the proposal or any portion thereof. Such comments should be filed in triplicate.

Dated: May 12, 1960.

[SEAL]

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 60-4530; Filed, May 18, 1960; 8:47 a.m.]

Notices

DEPARTMENT OF STATE

[Public Notice 169; Delegation of Authority 63-B]

U.S. GOVERNMENT BILLS OF LADING

Delegation of Authority To Sign and Issue

By virtue of the authority vested in the Secretary of State by Public Law 73, 81st Congress (63 Stat. 111, 5 U.S.C. 151c),

And by virtue of the authority vested in me by section 720 of the Organization Manual of the Department of State, there is hereby delegated to the personnel listed below (and to any person acting for them during their absence or incapacity) authority to sign and issue U.S. Government bills of lading and certificates in lieu of lost U.S. Government bills of lading. The authority hereby delegated is subject to the specific limitations indicated below and to all instructions, regulations, and directives which are now in effect, or which may be issued hereafter by the Department of State or by any other Government agency of competent jurisdiction, governing the signing and issuing of U.S. Government bills of lading.

a. Division of Supply Management, Office of Operations.

Division of Supply Management: Chief.
Procurement Branch: Chief, Procurement Officer, and Purchase Agents.

Supply Branch: Chief, Warehouse Superintendent, and Assistant Warehouse Superintendent.

Limitation: Chargeable to any funds available to the Department of State.

b. Division of Transportation Management, Office of Operations.

Division of Transportation Management: Chief, and Special Assistant.

Travel and Transportation Branch: Chief, and Chief, Travel Arrangements Section, and Interviewing Arrangers.

Despatch Agency, Washington: Chief United States Despatch Agent.

New York: Despatch Agent, Assistant Despatch Agent, and Supervisory Freight Traffic Officers.

Baltimore: Despatch Agent, and Supervisory Freight Traffic Officers.

San Francisco: Despatch Agent, and Freight Traffic Officer.

New Orleans: Despatch Agent.

Limitation: Chargeable to funds available for forwarding properly authorized official shipments and for movement of household goods and personal effects in connection with authorized travel.

c. Division of Communication Services, Office of Operations.

Diplomatic Mail Branch: Chief, and Assistant Chief.

Pouch Section: Chief.

Limitation: Chargeable to funds available for diplomatic pouch and courier operations.

d. Office of Foreign Buildings.

Office of Foreign Buildings: Director, and Executive Officer.

Furniture and Furnishings Branch: Chief.
Procurement and Contracts Branch: Chief.
Limitation: Chargeable to funds available to the Office of Foreign Buildings.

e. Foreign Service Posts.

Foreign Service Posts: Principal Officer, Administrative Officer, or such other officer as designated in writing by the Principal Officer.

Limitation: Chargeable to funds available for forwarding properly authorized official shipments and for movement of household goods and personal effects in connection with authorized travel.

Delegation of Authority No. 63-A, November 22, 1957 (Public Notice 153, December 7, 1957; 17 F.R. 9841) is hereby superseded and canceled. This delegation of authority supersedes any other delegations which may be in conflict herewith.

For the Secretary of State.

LANE DWINELL,
Assistant Secretary for Administration.

MAY 6, 1960.

[F.R. Doc. 60-4523; Filed, May 18, 1960; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

Notice of Filing of New Mexico Protraction Diagram

MAY 12, 1960.

Notice is hereby given that effective with this publication, the following protraction diagram is officially filed of record in the New Mexico Land Office, 113 Washington Avenue, Santa Fe, New Mexico. In accordance with 43 CFR 192.42a(c) (24 F.R. 4140, May 22, 1959), this protraction will become the basic record for the description of oil and gas lease offers, and other authorized uses filed at or subsequent to 10:00 a.m., on the thirty-first day after the publication of this notice.

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

NEW MEXICO PROTRACTION DIAGRAM

Unsurveyed portions of

T. 16 N., Rs. 6, 7 E.,

T. 17 N., Rs. 6, 7, 8 E.,

T. 18 N., Rs. 6, 7, 8 E.,

T. 19 N., R. 7E.,

within the Caja Del Rio Grant.

Copies of this diagram are for sale at one dollar (\$1.00) each, by the New Mexico Land Office, 113 Washington Avenue, Santa Fe, New Mexico.

DOUGLAS E. HENRIQUES,
*Land Office Manager,
New Mexico Land Office.*

[F.R. Doc. 60-4532; Filed, May 18, 1960; 8:47 a.m.]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The Federal Aviation Agency has filed an application, Serial Number F-025492 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for air navigation and associated facilities.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 516 Second Avenue, Fairbanks, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

UMIAT, ALASKA

From U.S.M. "Able" at 69°22'13.453" N., 152°09'07.330" W., go N. 7°18' W. 78.11 feet; thence
N. 82°42' E. 80.34 feet to runway centerline station 0+00; thence
S. 7°18' E. 2,500.00 feet to the point of beginning; thence
S. 82°42' W. 6,700.00 feet; thence
N. 7°18' W. 900.00 feet; thence
S. 82°42' W. 4,500.00 feet; thence
N. 7°18' W. 2,600.00 feet; thence
N. 82°42' E. 19,200.00 feet; thence
S. 7°18' E. 3,500.00 feet; thence
S. 82°42' W. 8,000.00 feet to the point of beginning.

Containing 1,449.7 acres, more or less.

RICHARD L. QUINTUS,
*Operations Supervisor,
Fairbanks.*

[F.R. Doc. 60-4513; Filed, May 18, 1960; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 6093 etc.]

REOPENED INTRA-ALASKA CASE (KODIAK PORTION)

Notice of Hearing

In the matter of the application of Kodiak Airways, Inc., for a certificate of public convenience and necessity authorizing the conduct of air transportation of persons, property, and mail on a temporary or permanent basis to and from 22 points on Kodiak Island, Alaska.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amend-

ed, that a hearing in the above-entitled proceeding is assigned to be held on May 26, 1960, at 10:00 a.m., E.D.S.T., in Room 725 of the Universal Building, 1825 Connecticut Avenue, Washington 25, D.C., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

1. Whether the public convenience and necessity require the issuance of a permanent or temporary certificate of public convenience and necessity to Kodiak Airways, Inc., so as to authorize said air carrier to conduct air transportation of persons, property, and mail over the following route segments and to other undesignated points lying within 25 miles thereof:

Segment No. 1—Between the terminal point Kodiak, the intermediate points Shearwater, Old Harbor, Kaguyak, Lazy Bay/Alitak, and Moser Bay, and the terminal point Olga Bay.

Segment No. 2—Between the terminal point Kodiak, the intermediate points Port Bailey, Terror Bay, San Juan, West Point/Village Isle, Uyak, Kurluk, Larsen Bay, and Parks, and the terminal point Zachar Bay.

Segment No. 3—Between the terminal point Kodiak, the intermediate points Ouzinkie, Afognak, Port Wakefield/Port Vita/Iron Creek, and Kitot Bay, and the terminal point Port Williams.

For further details of the issues involved in this proceeding interested persons are referred to the applications and any amendments thereto, petitions, motions, and orders entered in the docket of this proceeding, all of which are on file with the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding should file with the Board, on or before May 26, 1960, a statement setting forth the issues of fact or law to be presented.

Dated at Washington, D.C., May 13, 1960.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-4540; Filed, May 18, 1960;
8:48 a.m.]

[Docket 7735 et al.]

ST. LOUIS-SOUTHEAST SERVICE CASE

Order for Oral Argument

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of May 1960.

By Order E-15202, dated May 9, 1960, the Board granted to Trans World Airlines, Inc., a thirty-day exemption to permit continued operations over its former St. Louis-Southeast segment 6 on its route 2,¹ subject to restrictions, so as to permit the Board, inter alia, to properly inform itself as to the matters at issue in the pending requests before the Board in this proceeding arising out of TWA's conditional motion for relief,

dated April 18, 1960, and the various responses thereto.

In view of the many controversial matters which have been raised in these pleadings and the fact that only two of the five Board Members who participated in the original decision of the Board are still Members of the Board, the Board has decided that, before disposing of the various pleadings now before it, it would be desirable and would expedite matters to hear oral argument to determine the nature of the further action in this case that should be taken by the Board to carry out the decision of the Court of Appeals. In this regard, the Board has decided that the argument should be limited to the following issues:

(a) Whether the Board has the legal power, and should as a matter of discretion, reconsider the public convenience and necessity for the St. Louis-Southeast route heretofore awarded to TWA, (i) on the present evidentiary record, or (ii) after further hearing on that issue?²

(b) Whether the Board should hold further hearing with respect to the issues of mutual exclusivity and competitive impact posed by the Court's decision, or should the Board defer decision on these issues until the Southern Transcontinental Service Case is before it for decision?

(c) Whether the Board should reconsider the issue of selection of carrier (1) on the present record, or (ii) after further hearing, and if so, which applicant should be selected and what restrictions, if any, should be imposed?

(d) Whether the Board should defer final decision in this proceeding until the Southern Transcontinental Service Case is before it for decision, and grant interim operating authority to TWA or some other applicant, until that time?

(e) If interim operating authority is granted, (i) should it be by certificate or exemption, and (ii) what restrictions should be imposed?

Accordingly, it is ordered, That oral argument on the matters set forth above be held on May 26, 1960, at 10:00 a.m. in Room 1027, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C.

By the Civil Aeronautics Board:

[SEAL]

MABEL McCART,
Acting Secretary.

[F.R. Doc. 60-4573; Filed, May 18, 1960;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13385; FCC 60-526]

ANTENNAVISION SERVICE CO., INC.

Memorandum Opinion and Order Amending Designation Order

In re applications of Antennavision Service Company, Inc., Phoenix, Arizona,

² The Board will not entertain oral argument on the merits as to whether public convenience and necessity require the St. Louis-Southeast route.

Docket No. 13385; for construction permit for new fixed radio station, Oatman Mountain, Arizona, File No. 2984-C1-P-59 (KPK30); for construction permit for new fixed radio station, Telegraph Pass, Arizona, File No. 2985-C1-P-59 (KPK31).

1. The Commission has before it for consideration (1) the petition of Valley Telecasting Co. for reconsideration, filed February 23, 1960; (2) the opposition of the Commission's Common Carrier and Broadcast Bureaus, filed February 26, 1960; and (3) the reply to opposition filed by Valley Telecasting Co. on March 4, 1960.

2. By Memorandum Opinion and Order released February 9, 1960 (FCC 60-87), the Commission granted in part the Protest and Petition for Reconsideration of Valley Telecasting Co., licensee of television station KIVA, Yuma, Arizona, which was directed toward the above-captioned applications of Antennavision Service Company, Inc. (hereinafter Antennavision). By Errata released February 10, 1960, the Commission corrected its Memorandum Opinion and Order by staying the grants rather than setting them aside. Valley requests that the Commission reconsider its Memorandum Opinion and Order as corrected, and set the grants aside.

3. In support of its request, Valley submits that, as the Commission has adopted as Issue "a" in this proceeding the question of whether the applicant is legally, technically, financially and otherwise qualified, and has placed the burden of proof as to this issue upon the applicant, it necessarily follows that applicant has not shown itself to be basically qualified, and that under these circumstances sections 308 and 309 of the Act and § 21.700 of the rules require that the grant of Antennavision's applications be set aside. As authority for the requested relief, Valley cites Holiday Isles Broadcasting Co., 15 RR 847 (1957), in which the Commission set aside the grant of an application because the applicant failed to make a sworn denial of the misrepresentation with which he was charged in a protest and petition for review.

4. In Holiday Isles we were confronted with material misrepresentations (concerning the availability of a transmitter site) admitting of no other interpretation than that they were made for the purpose of deceiving the Commission. In the instant case we do not have such representations. Valley alleged, in its protest, that Antennavision's statement in its application that Station KIVA is an independent station and that network programming is available to Yuma only by microwave is a crucial misrepresentation of fact; in its protest, Valley alleged that Station KIVA is affiliated with three major television networks from which it receives programs by microwave relay. As we pointed out in our Memorandum Opinion and Order designating these applications for hearing, this statement by Antennavision has no material bearing upon our original grant of its applications, and it does not appear that such statement was a willful and deliberate misrepresentation designed to deceive the Commission. Accordingly, Holiday Isles is not controlling.

¹ Order E-13026, dated September 30, 1958, granting the certificate in which segment 6 was awarded to TWA, was vacated by the mandate of the Court of Appeals for the District of Columbia Circuit (Case Nos. 14,798 et al.).

5. We do not find persuasive Valley's contention that sections 308 and 309(a) and (b) of the Act require that we set aside the grant where a valid question of the applicant's basic qualifications is raised. Section 308 merely sets forth, in general terms, the required content of applications. Section 309(a) provides for a grant without hearing of such an application, and section 309(b) provides for a hearing prior to grant where the Commission cannot determine on the basis of the application that a grant thereof would serve the public interest, convenience, and necessity. Where, as in this case, the Commission granted the applications upon the basis of findings specified by section 309(a), it is clear that section 309(c) authorizes the Commission either to postpone the effective date of the grants or to leave them in effect pending hearing, depending upon the particular circumstances of the case; it does not authorize or contemplate that the grants be vacated prior to hearing. The fact that the petitioner's request had been filed under section 405 of the act as well as under section 309(c) does not require that the grant be set aside. As we said in *James Gerity, Jr.*, 9 RR 781, 783 (1953), "In light of the clear policy of Congress reflected in the section 309(c) provision for postponement rather than vacation in cases where the Commission has once determined a grant to be in the public interest, the Commission believes that in a case such as this, it would be appropriate to apply the same policy even though a petition for reconsideration under section 405 is involved rather than a protest under section 309(c). The facts of the case, rather than a fortuitous choice of remedy (under section 309(c) or 405) should be given controlling effect in determining the status of a protested grant pending hearing."

6. Although not noted by Valley in its petition, the fifth sentence of paragraph 18 of our Memorandum Opinion and Order released February 9, 1960, contains an apparent ambiguity which possibly prompted the filing of the instant petition. On our own motion, we herein after correct such sentence.

Accordingly, it is ordered, This 11th day of May 1960, that the petition for reconsideration filed February 23, 1960, by Valley Telecasting Co., is denied.

It is further ordered, That the fifth sentence of paragraph 18 of the Memorandum Opinion and Order released February 9, 1960 (FCC 60-87), is corrected to read as follows: "Assuming also, for the sake of discussion, that Applicant has not cured, or cannot cure, any alleged defects in its application relative to its financial and technical qualifications, since we hereinafter provide for a stay of the instant grants and a designation of the applications for hearing * * *."

Released: May 16, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4533; Filed, May 18, 1960;
8:47 a.m.]

[Docket Nos. 10854-10858]

BISCAYNE TELEVISION CORP. ET AL.

Notice of Place of Hearing

In re applications of Biscayne Television Corporation, Miami, Florida, Docket No. 10854, File No. BPCT-1453; East Coast Television Corporation, Miami, Florida, Docket No. 10856, File No. BPCT-1612; South Florida Television Corporation, Miami, Florida, Docket No. 10857, File No. BPCT-1806; Sunbeam Television Corporation, Miami, Florida, Docket No. 10858; File No. BPCT-1816; for construction permits for new television broadcast stations (Channel 7).

The hearing on the above-entitled matter presently scheduled for Monday, June 13, 1960, will be held at 11:00 a.m. in Courtroom 7, Room 3018, Federal Courthouse Building at 9th and Chestnut Streets, Philadelphia, Pennsylvania.

Dated: May 13, 1960.

Released: May 13, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4534; Filed, May 18, 1960;
8:47 a.m.]

[Docket No. 13512]

VITO LOCHIRICO

Order Assigning Matter for Public Hearing

In the matter of Vito Lochirico, P.O. Box 24, Gulf Shores, Alabama, Docket No. 13512; suspension of restricted radiotelephone operator permit.

The Commission having under consideration the suspension of the Restricted Radiotelephone Operator Permit, RP-1-51091, issued to Vito Lochirico; and

It appearing that acting in accordance with the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, the above-named party filed with the Commission a timely application for hearing on the Commission's Order dated April 1, 1960, suspending the Restricted Radiotelephone Operator Permit, RP-1-51091, for a period of three months; and

It further appearing that under the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, the said permittee is entitled to a hearing in this matter and that upon the filing of a timely written application therefor, the Commission's Order of Suspension is held in abeyance until the conclusion of the proceeding in this matter.

It is ordered, This 12th day of May 1960, that the matter of suspension of the Restricted Radiotelephone Operator Permit of Vito Lochirico is hereby designated for hearing before a Commission Examiner at a time and place to be specified by a further Order on the following issues:

1. To determine whether Vito Lochirico, licensee of radiotelephone station WE-7222 on board the vessel KATY L on

August 1, 1959, transmitted communications containing obscene, indecent and profane language.

2. To determine in the light of the evidence adduced in the foregoing issue whether the terms of the original order of suspension should be made final, rescinded or modified.

It is further ordered, That a copy of this Order be transmitted by Certified Mail, Return Receipt Requested, to Vito Lochirico and that he notify the Commission in writing within 10 days after receipt of this Order that he will appear in person or by counsel at said hearing.

Released: May 13, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4535; Filed, May 18, 1960;
8:48 a.m.]

[Docket Nos. 13448-13452; FCC 60M-834]

WTTT, INC. (WTTT) ET AL.

Order Scheduling Prehearing Conference

In re applications of WTTT, Inc. (WTTT), Arlington, Florida, Docket No. 13448, File No. BP-12059; Onslow Broadcasting Corporation (WJNC), Jacksonville, North Carolina, Docket No. 13449, File No. BP-12309; Ponce De Leon Broadcasting Company (WFOY), St. Augustine, Florida, Docket No. 13450, File No. BP-12322; Indian River Radio, Inc. (WMMB), Melbourne, Florida, Docket No. 13451, File No. BP-12479; Capitol Broadcasting Company, Incorporated (WRAL), Raleigh, North Carolina, Docket No. 13452, File No. BP-13130; for standard broadcast construction permits.

On the Examiner's own motion: It is ordered, This 12th day of May 1960, that a prehearing conference in the above-entitled matter will be held in the offices of the Commission, Washington, D.C., on May 25, 1960, at 10:00 a.m.

Released: May 13, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4536; Filed, May 18, 1960;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-6934]

NORTHERN STATES POWER CO.

Notice of Application

MAY 13, 1960.

Take notice that on May 9, 1960, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Northern States Power Company ("applicant"), a corporation organized under the laws of the State of Minnesota and doing business in the States of Minne-

sota, North Dakota and South Dakota, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of unsecured promissory notes not exceeding an aggregate at any one time outstanding of \$42,500,000. The proposed notes will be issued from time to time during the year 1960 to evidence borrowings from commercial banks. Each note will be dated as of the date of its issue, will mature not more than twelve months thereafter, and will bear interest at a rate not to exceed the prime rate at the time and place of the borrowing which the note evidences. The proceeds from the aforesaid bank borrowings to be evidenced by the promissory notes will be added to Applicant's general funds and be used in part to pay for Applicant's construction program for 1960 and in part to acquire Minnesota properties of Northern States Power Company, a Wisconsin corporation, a wholly owned subsidiary of Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before the third day of June, 1960, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-4509; Filed, May 18, 1960;
8:45 a.m.]

[Docket No. RI60-336]

PHILLIPS PETROLEUM CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

MAY 11, 1960.

On April 11, 1960, Phillips Petroleum Company (Phillips) tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated April 8, 1960.

Purchasers: Frank C. Henderson Trust No. 2 and Elizabeth P. Henderson Trust No. 2 (Henderson Trusts).

Producing area: West Panhandle Field, Hutchinson County, Texas.

Rate schedule designation: Supplement No. 2 to Phillips' FPC Gas Rate Schedule No. 60.

Effective rate: 7.5 cents per Mcf.

Proposed rate: 16.1536 cents per Mcf.

Effective date: May 12, 1960 (stated effective date is the first day after the required 30 days' notice).

In support of the proposed unilateral increased rate, Phillips states that the increased rate is based upon the "current market value" for gas sold in the West Panhandle Field Area and cites two sales, with rates equal to or in excess of the proposed rate, in the same production area.

In support of the unilateral nature of the proposed increase, Phillips states, inter alia, that the original contract dated January 17, 1931, is no longer applicable inasmuch as the contract provides for the sale of "casinghead gas" produced from "oil wells" and the Texas Railroad Commission has reclassified the subject wells as "gas wells." In addition, Phillips states that both Phillips and Henderson Trusts have recognized the inapplicability of the contract by ignoring the pricing provisions therein and allowing unilateral price changes to become effective without objection by the other party. Further, Phillips states that it has attempted, without success, to amend or renegotiate the said contract and establish a contractual basis for the sale at a reasonable and competitive rate.

Henderson Trusts protest the proposed unilateral increase and state that the proposed increase should be rejected by the Commission under the Mobile case¹ inasmuch as there is an existing effective contract. In addition, Henderson Trusts state that Phillips' filing should be rejected as the contract is a percentage sales arrangement and, therefore, Phillips is not authorized to make any filing of rate schedules with respect thereto. Henderson Trusts request that, in the event Phillips' filing is not rejected, the Commission suspend the proposed increased rate and set down for hearing the question of fact raised by Phillips as to whether there is in fact a presently effective valid contract covering the sale of gas in question.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the issues of whether there is in fact a presently effective valid contract covering the sale of gas in question and whether Phillips' filing is subject to rejection by the Commission under § 154.91(e) of its regulations and, subsequently, if found necessary, an additional hearing concerning the lawfulness of the proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held on June 21, 1960, at 10:00 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the issues as to whether there is in fact a presently effective valid contract covering the sale of gas in question and whether the contract, if it in fact exists, is a percentage sales arrangement subject to rejection

¹United Gas Pipeline Company v. Mobile Gas Service Corp., 350 U.S. 332.

by the Commission under § 154.91(e) of its regulations (18 CFR 154.91(e)).

(B) In the event that the subject filing is determined to be acceptable by the Commission, then, pursuant to the aforementioned authority, a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Phillips' FPC Gas Rate Schedule No. 60.

(C) Pending hearing and decision thereon the above-designated supplement is hereby suspended and the use thereof deferred until October 12, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 17, 1960.

By the Commission.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 60-4510; Filed, May 18, 1960;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-4554]

LOVE ME LITTLE CO.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

MAY 13, 1960.

I. Alexander H. Cohen, 40 West 55th Street, New York, N.Y., as "Love Me Little Company" 40 West 55th Street, New York, N.Y., filed with the Commission a notification on Form 1-A and an offering circular relating to a proposed offering of preformation limited partnership interests in the aggregate amount of \$180,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer failed to file a definitive offering circular as an amendment to the notification, prior to its use, as required by Rule 256(f).

2. The issuer failed to file an accurate report of sales on Form 2-A as required by Rule 260.

3. The issuer has failed to cooperate with the Commission in making an investigation in connection with the offering hereunder.

B. The notification filed with this office contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The statement in the notification that the offering would be made only in the States of New York, New Jersey, Delaware, Connecticut and Pennsylvania.

III. It is ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 60-4516; Filed, May 18, 1960;
8:46 a.m.]

[File No. 812-1295]

PRINCIPAL CERTIFICATE SERIES, INC.

Filing of Application for Order Approving Depositary Agreement of Face-Amount Certificate Company

MAY 12, 1960.

Notice is hereby given that Principal Certificate Series, Inc. ("Principal"), a registered face-amount certificate company, organized under Delaware laws, has filed an application pursuant to section 28(c) of the Investment Company Act of 1940 ("Act") seeking the approval of a depositary agreement ("Agreement") between Principal and Bankers Trust Company ("Bank"), wherein Principal undertakes to deposit and maintain with Bank qualified investments and reserves as required by section 28 of the Act with respect to its Series 6, 10, 15, 20 and Single Payment certificates upon the terms and conditions specified in said Agreement.

No. 98—3

The Agreement provides, among other things, that Principal shall at all times deposit and maintain with the Bank qualified assets having an aggregate value at least equal to its minimum certificate reserves which shall be held separate and segregated and that Principal may withdraw assets on deposit for the purpose of retiring certificates, or for any purpose if the remaining assets on deposit will equal the minimum reserve requirements. Assets representing minimum reserves for certificates sold within certain States which States require that such reserves be held by a depositary or depositaries within such States may, for the above minimum reserve requirements, be deducted in computing assets of Principal to be held by the Bank.

Section 28(c) provides, among other things, that the Commission shall by rule, regulation, or order, in the public interest or for the protection of investors, require a registered face-amount certificate company to deposit and maintain, upon such terms and conditions as the Commission shall prescribe and as are appropriate for the protection of investors, with one or more institutions having the qualifications required by section 26(a) (1) of the Act for a trustee of a unit investment trust, all or any part of the investments maintained by such company as certificate reserve requirements under the provisions of section 28(b) of the Act.

Notice is further given that any interested person may, not later than May 25, 1960 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc 60-4517; Filed, May 18, 1960;
8:46 a.m.]

[File No. 1-3865]

SKIATRON ELECTRONICS AND TELEVISION CORP.

Order Summarily Suspending Trading

MAY 13, 1960.

In the matter of trading on the American Stock Exchange in the common stock, par value 10 cents per share of Skiatron Electronics and Television Corporation.

The common stock, par value 10 cents per share of Skiatron Electronics and

Television Corporation, being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a) (4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, May 16, 1960 to May 25, 1960, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 60-4518; Filed, May 18, 1960;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 273]

ARKANSAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Arkansas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Counties (including any areas adjacent to said Counties) suffered damage or destruction as a result of the catastrophe hereinafter referred to:

Counties: Conway and White (tornado occurring on or about May 5, 1960).

Offices: Small Business Administration Regional Office, Fidelity Building, 1000 Main Street, Dallas 2, Tex. Small Business Administration Branch Office, Rector Building, Room 620, 405 West Third Street, Little Rock, Ark.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1960.

Dated: May 9, 1960.

PHILIP McCALLUM,
Administrator.

[F.R. Doc. 60-4520; Filed, May 18, 1960;
8:46 a.m.]

[Declaration of Disaster Area 269]

OKLAHOMA

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Oklahoma;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Acting Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Counties (including any areas adjacent to said Counties) suffered damage or destruction as a result of the catastrophe hereinafter referred to:

Counties: Cleveland, Grady and Oklahoma (tornado occurring on or about April 28, 1960).

Offices: Small Business Administration Regional Office, Fidelity Building, 1000 Main Street, Dallas 2, Tex. Small Business Administration Branch Office, Bankers Service Life Building, Room 312, 114 North Broadway, Oklahoma City 2, Okla.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1960.

Dated: May 4, 1960.

FRANK STEMPLE,
Acting Deputy Administrator.

[F.R. Doc. 60-4522; Filed, May 18, 1960;
8:46 a.m.]

[Declaration of Disaster Area 272]

NEW HAMPSHIRE

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of New Hampshire;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Town (including any areas adjacent to said Town) suffered damage or destruction as a result of the catastrophe hereinafter referred to:

Town: Derry (fire occurring on or about May 6, 1960).

Offices: Small Business Administration Regional Office, Sheraton Building, 470 Atlantic Avenue, Boston, Mass. Small Business Administration Branch Office, 72 North Main Street, Concord, N.H.

2. A temporary field office will be established at Derry, address to be announced locally.

3. Applications for disaster loans under authority of this Declaration will not be accepted subsequent to November 30, 1960.

Dated: May 9, 1960.

PHILIP McCALLUM,
Administrator.

[F.R. Doc. 60-4521; Filed, May 18, 1960;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 16, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36237: *Joint water-motor rates between central and western points.* Filed by the Detroit Atlantic Navigation Corp. (No. 2), for interested carriers. Rates on various articles of freight moving on joint motor-water, water-motor, and motor-water-motor

class and commodity rates between points in Michigan, Ohio and Pennsylvania, on the one hand, and points in Minnesota, on the other, via Detroit, Mich., or Cleveland, Ohio, in the East, and Duluth, Minn., in the West.

Grounds for relief: Rail or motor-truck competition.

Tariff: Supplement 7 to Detroit Atlantic Navigation Corp., tariff I.C.C. 7.

FSA No. 36238: *Soda—Southwestern points to Georgia and Florida points.* Filed by Southwestern Freight Bureau, Agent (No. B-7790), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads, from specified points in Arkansas, Louisiana and Texas, to Rome, Ga., Jacksonville, South Jacksonville and Palatka, Fla.

Grounds for relief: Market competition.

Tariffs: Supplements 691, 199 and 442 to Southwestern Freight Bureau tariffs I.C.C. 4139, 4187 and 4087, respectively.

FSA No. 36239: *Lumber articles—Broken Bow, Okla., to points in southern territory.* Filed by Southwestern Freight Bureau, Agent (No. B-7792), for interested rail carriers. Rates on frames, door, skylight or window, KD, in carloads, as described in the application, from Broken Bow, Okla., to specified points in southern territory.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 22 to Southwestern Freight Bureau tariff I.C.C. 4337.

FSA No. 36240: *Door and window frames—Southwest to central and eastern territories.* Filed by Southwestern Freight Bureau, Agent (No. B-7791), for interested rail carriers. Rates on door and window frames, KD, in carloads, as described in the application, from specified points in southwestern territory, to specified points in central, trunk-line, and New England territories.

Grounds for relief: Short-line distance formula.

Tariffs: Supplements 22, 691, 199 and 442 to Southwestern Freight Bureau tariffs I.C.C. 4337, 4139, 4187, and 4087, respectively.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-4524; Filed, May 18, 1960;
8:47 a.m.]

[Notice 315]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 16, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce

Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 63069. By order of May 12, 1960, the Commission, Division 4, acting as an Appellate Division, approved the transfer to District Hauling & Contracting Co., Inc., Arlington, Va., of the operating rights set forth in Permit No. MC 116787, issued by the Commission April 21, 1959, to B & F Transportation, Inc., Hyattsville, Md., authorizing the transportation, over regular routes, of canned goods, fruits and produce, and beer, ale, and wine, from, to, and between specified points in Maryland, New York, Pennsylvania, Delaware, Virginia, New Jersey, and the District of Columbia, and over irregular routes, pasteurized milk, buttermilk, and cream, in containers, powdered milk, and condensed milk, in containers, (other than hermetically sealed), concentrated milk, such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, from, to, and between specified points in Washington, D.C., Maryland, Virginia, West Virginia, South Carolina, North Carolina, New York, Pennsylvania, Florida, Georgia, and Delaware. S. Harrison Kahn, 1110 Investment Building, Washington 5, D.C., for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-4525; Filed, May 18, 1960;
8:47 a.m.]

[Rev. S. O. 562, Taylor's I.C.C. Order 116]

ARKANSAS & OZARKS RAILWAY CORP.

Rerouting or Diversion of Traffic

In the opinion of Charles W. Taylor, Agent, the Arkansas & Ozarks Railway Corporation, account bridge and track washout between Seligman, Missouri, and Harrison, Arkansas, is unable to transport traffic routed over its line.

It is ordered, That:

(a) Rerouting traffic: The Arkansas & Ozarks Railway Corporation and its connections, are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carriers rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which

were applicable at the time of shipments on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with the pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 9:00 a.m., May 13, 1960.

(g) Expiration date: This order shall expire at 11:59 p.m., June 13, 1960, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 13, 1960.

INTERSTATE COMMERCE
COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 60-4526; Filed, May 18, 1960;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

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235	4003
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591	4167
592	4167
594	4167
595	4167
596	4167
599	4167
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